

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,

Plaintiff,

vs.

DONALD BORCHERS,

Defendant.

CRIMINAL NO. FE 250865

TRIAL INFORMATION

COMES NOW Thomas Henry Miller and Robert Howard Sand as prosecuting attorneys, and in the name and by the authority of the State of Iowa accuse Donald Borchers of committing the following crimes:

COUNT 1 FRAUDULENT PRACTICE IN THE FIRST DEGREE, in violation of §15A.3, 714.8(10), and 714.9 of the Iowa Code. During the time period of May 2008 through December 2008, in the county of Polk and State of Iowa, the defendant Donald Borchers engaged in deception and knowingly made or caused to be made, directly or indirectly, false statements in writing for the purpose of procuring economic development assistance from a state agency for the benefit of the film "Children of the Corn" and related persons and entities, to wit: submitting inflated cost claims for his film "Children of the Corn" in order to receive tax credits to which he had no right. (A CLASS C FELONY)


COUNT 2 THEFT IN THE FIRST DEGREE, in violation of §714.1(1), §714.1(3), and §714.2(1) of the Iowa Code. During the time period of May 2008 through December 2008, in the county of Polk and State of Iowa, the defendant Donald Borchers did take possession of property exceeding ten thousand dollars in value belonging to the State of Iowa, with the intent to deprive the owner thereof, by unlawfully reporting inflated values on expense claims submitted in support of tax credit claims for the film "Children of the Corn." (A CLASS C FELONY)

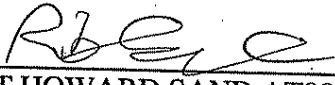
We have made a full and careful investigation of the facts upon which this information is based and have determined under the authority of section 13.4 of the Code of Iowa and pursuant to rule 2.5(1) of the Rules of Criminal Procedure that a criminal prosecution is warranted in this matter.

A TRUE INFORMATION,

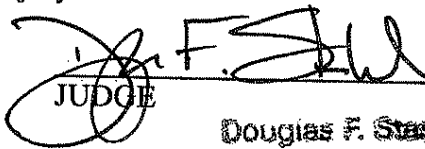
THOMAS J. MILLER
Attorney General of Iowa

FILED
POLK COUNTY, IA
2009 OCT 21 PM 2:20
IOWA DISTRICT COURT

By: 
THOMAS HENRY MILLER AT0005416
Deputy Attorney General in and for the State of Iowa

By: 
ROBERT HOWARD SAND AT0010489
Assistant Attorney General in and for the State of Iowa

On this 21 day of October, 2011, I find that the evidence contained in the Trial Information and the minutes of testimony, if unexplained, would warrant a conviction by the trial jury.


JUDGE
Douglas F. Stasick, Judge

Copy of Information and minutes received this ____ day of _____, 2011.

Defendant/Attorney for Defendant

WITNESSES

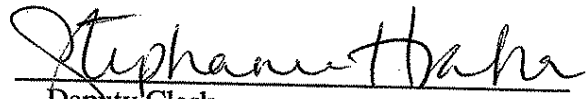
Don Dursky, IDED, 200 E. Grand Ave., Des Moines, IA
Gerard Meyers, DPS, 2006 S. Ankeny Blvd, Ankeny, IA
Matthew Sauer, DPS, 2006 S. Ankeny Blvd, Ankeny, IA
Don Schnitker, DPS, 2006 S. Ankeny Blvd, Ankeny, IA
Jo Anne Lazar or designee, Wells Fargo Insurance, 15303 Ventura Blvd, Sherman Oaks, CA
Sheri Person or designee, Dolby Labs, 3601 W. Alameda Ave, Burbank, CA
Jonathan Elias or designee, Elias Arts, 2219 Main St, Santa Monica, CA
Kevin Kutchaver or designee, Himani Productions,
Delores Serio or designee, Smart Post Sound, 405 Riverside Dr, Burbank, CA.

This information, together with the minutes of testimony relating thereto, is duly filed in the District Court.

This 21 day of October, 2011.



Clerk of the Polk County District Court
of the State of Iowa

By 

Deputy Clerk